

Serial No. 09/377,120

Filed: August 19, 1999

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Rule  
12d*

affixed in a stable, parallel relationship with the veneer slicing knife; and

cutting veneer sheets with the veneer slicing knife from the tapered veneer producing face of the flitch.

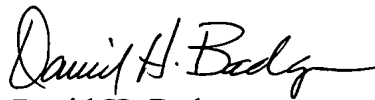
#### REMARKS

This application discloses the same patentable invention as claim 1 of U.S. Patent No. 5,865,232. Robert D. Brand, the inventor of this application, is the prior inventor of the subject matter claimed in claim 1 of U.S. Patent No. 5, 865 232. The subject matter of claim 39 (claim 1 of the '232 patent) was first disclosed by Robert D. Brand in U.S. Patent Application Serial No. 08/455,479, the great, great grandparent of this application, filed on May 31, 1995, more than 21 months prior to the application for the '232 patent, and more than nine months before the Miller provisional application No. 60/013,035 was filed.

This application clearly discloses the subject matter of claim 1 of the '232 patent as indicated by the specification and drawings. See, for example, pages 13-19 of the Brand specification and the corresponding figures.

Entry of claim 39 and declaration of the interference with at least claim 39 (claim 1 of the '232 patent) as Count 1 and with Robert D. Brand as senior party is respectfully requested. Claims 1-20 of the '232 patent should be designated as corresponding to the count.

Respectfully submitted,



David H. Badger  
Attorney Reg. No. 22,597

DHB/mrc

BRINKS HOFER GILSON & LIONE  
One Indiana Square, Suite 2425  
Indianapolis, Indiana 46204  
Tel: (317) 636-0886